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11 MAR 1980

OGC Has Reviewed

MEMORANDUM FOR: Special Assistant to the DDCI

THROUGH : Office of the Comptroller

FROM : Harry E. Fitzwater, Director of Personnel
Policy, Planning and Management

SUBJECT : Executive Committee Agenda Item: Agency
Overtime Policy

REFERENCES : A. Memo from SA/DDCI to D/PersPPM, dtd
14 January 1980, Same Subject

B. Memo from D/PersPPM to DCI, dtd
9 November 1979, Same General Subject

1. Reference A requested that I work with the Office of Finance and/or the Office of Comptroller to develop an analysis of the potential costs of a change in overtime policy and the Office of the General Counsel to obtain a current opinion of any new legal ramifications.

2. The OGC review, copy attached, supports an earlier opinion that the current overtime policy is legal. It cautions, however, that an "articulable rationale" should be identified if the eight-hour donation rule is to remain a part of Agency overtime policy.

3. Neither the Office of Finance nor the Office of the Comptroller can provide any data base for analyzing potential costs of changing the policy. As noted in the OP study prepared in May 1977 for EAG review, no record is maintained in the Agency of uncompensated overtime. The only way to obtain even a general estimate of it would be to institute a special off-line time and attendance report for a specific period of time which, given the cyclical nature of our work, should at a minimum cover a six-month time frame. It should be noted that all compensated overtime and holiday pay in FY 79 totalled \$8,900,000. We

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can only guess the costs of a change in the policy to pay directed overtime to employees in grades above GS-11 but a consistent estimate has been between one and two million dollars per year.

4. Attached is a staff study on Agency overtime policy which we have prepared for the use of the Executive Committee members. It reviews the history of our policy, discusses rationales for it, and proposes a change for the future.

Harry E. Fitzwater

Harry E. Fitzwater

Attachments

cc: Office of the Comptroller
Office of Finance

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